

REMARKS

Claims 1-5 and 7-21 are pending in the present application. Claim 8 has been amended. Claims 1, 8, and 13 are independent claims. The Examiner is respectfully requested to reconsider the rejections in view of the above amendments and the following remarks.

Applicants respectfully submit that the amendments to claim 8 are merely to address matters of formality and improve readability of the claim. It is respectfully submitted that, even without these amendments, claim 8 would still be patentable for reasons discussed in the previous Amendment filed October 13, 2006 (hereafter "previous Amendment"), as well as for reasons set forth below. It is respectfully submitted that these amendments do not raise new substantive issues requiring further search and/or consideration by the Examiner.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner has allowed claims 1-5, 7, and 12-21.

Rejection Under 35 U.S.C. § 102

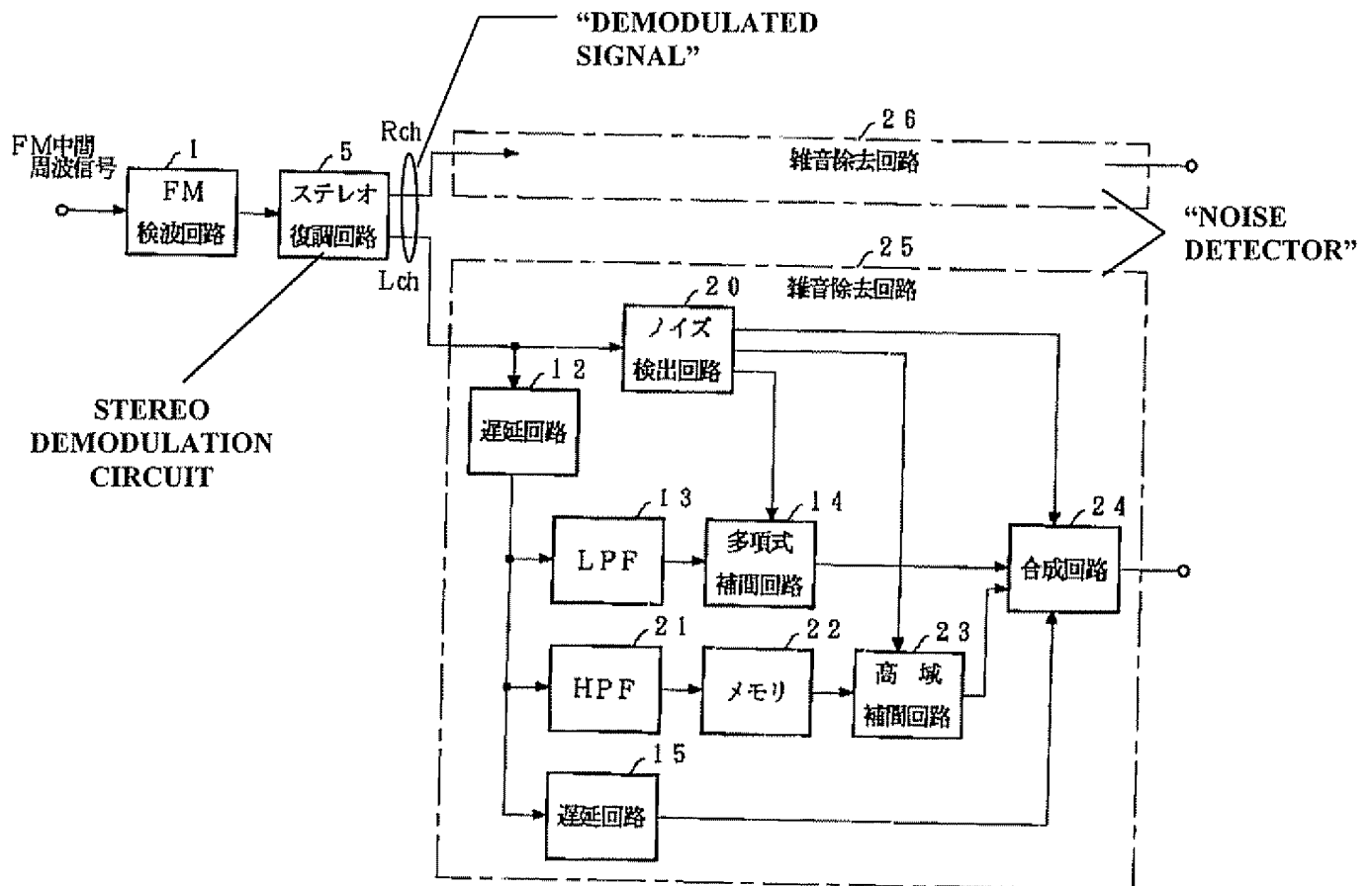
Claims 8-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent Publication No. JP11-186924 to Tsuji et al. (hereafter "Tsuji '924"). This rejection is respectfully traversed.

Applicants respectfully refer the Examiner to MPEP § 2131, which states:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. Of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claims." *Richardson v. Suzuki Motor Co.*, 868 F2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

It is respectfully submitted that the prior art cited by the Examiner does not set forth each and every element as defined in the claims. Thus, the Examiner's rejection based on 35 USC 102 has been obviated.

In the previous Amendment, Applicants argued that Tsuji '924 failed to disclose a noise detector that processed a demodulation signal containing information regarding audio signals of a plurality of channels. In response, the Examiner refers to Fig. 10 in Tsuji '924. An annotated reproduction of Fig. 10 is provided below.



Specifically, the Examiner asserts that a combination of noise limiters 25 and 26 may be interpreted as the claimed "noise detector" (see Office Action at page 2, last paragraph). This

interpretation of Tsuji '924 by the Examiner necessarily relies on the combination of the Rch and Lch signals in Fig. 10 for the claimed "demodulated signal," as shown above.

However, Applicants respectfully submit that the combination of Rch and Lch in Fig. 10 of Tsuji '924 cannot properly be interpreted as the claimed demodulation signal. Claim 8 specifically recites that the audio signals of the channels are demodulated from the demodulation signal. As shown above, the device in Fig. 10 of Tsuji '924 does not demodulate anything from the Rch and Lch signals. Instead, as shown in Fig. 10 of Tsuji '924, the Rch and Lch signals are demodulated from the signal outputted by the FM detector 1 by stereo demodulating circuit 5. Thus, Rch and Lch are analogous to the claimed audio signals that are demodulated from the demodulation signal, rather than the claimed demodulation signal.

Thus, the combination of Rch and Lch in Fig. 10 of Tsuji '924 cannot be interpreted as the claimed demodulation signal. Accordingly, the combination of noise limiters 25 and 26 in Tsuji '924 cannot be interpreted as the claimed noise detector because it does not process the claimed demodulation signal to detect noise.

At least for the reasons set forth above, Applicants respectfully submit that Tsuji '924 does not disclose every claimed feature. Accordingly, Applicants respectfully submit that claim 8 is in condition for allowance, and claims 9-11 are allowable at least by virtue of their dependency on claim 8. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

Entry of this Amendment After Final is respectfully requested. In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination.

Application No. 09/617,086
Amendment dated April 4, 2007
After Final Office Action of January 4, 2007

Docket No.: 0649-0753P

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: April 4, 2007

Respectfully submitted,

for By Jan R. W. # 47,305
Michael K. Mutter
Registration No.: 29,680
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant